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**MINUTES**  
of the  
**ENVIRONMENT AND PLANNING COMMITTEE MEETING**  
held  
**10.00 am, Thursday, 24 January 2013**  
at  
**Tasman Council Chamber, 189 Queen Street, Richmond**

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**Present:** Councillor S G Bryant (Chair), Mayor R G Kempthorne, Councillors T B King, M L Bouillir, B F Dowler, J L Edgar, G A Glover, J L Inglis, Z S Mirfin, C M Maling, T E Norriss, P F Sangster, E J Wilkins.

**In Attendance:** Environment and Planning Manager (D Bush-King)  
Regulatory Manager (A Humphries)  
Resource Consents Manager (P Doole)  
Administration Officer (G Woodgate)

**1 OPENING, WELCOME**

**2 APOLOGIES AND LEAVE OF ABSENCE**

Moved Cr Dowler/Mayor Kempthorne  
EP13-01-1

That apologies from Councillor B W Ensor be accepted.  
**CARRIED**

**3 PUBLIC FORUM**

Mr Graeme Walker

Mr Walker spoke on the:-

1. Detailed planning process developers are required to complete for Council and
2. Development of the Mapua port area.

10.04am: Councillors Bouillir, Inglis and Mirfin arrived.

Cr Paul Sangster

Cr Sangster summarised a garage Building Consent application his son Chris had experienced with Council.

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#### 4 DECLARATIONS OF INTEREST

Nil.

#### 5 CONFIRMATION OF MINUTES

Moved Cr Norriss/Cr Bryant  
EP13-01-2

That the minutes of the Development Contribution Levies – Delegated Committee meeting held on Monday 3 December 2012, be received as a true and complete record.  
CARRIED

Moved Cr Bouillir/Cr Bryant  
EP13-01-3

That the minutes of the Environment and Planning Subcommittee meeting held on Wednesday 5 December 2012 be confirmed as a true and complete record.  
CARRIED

Moved Cr Wilkins/Cr King  
EP13-01-4

That the minutes of the Environment and Planning Committee meeting held on Thursday 13 December 2012 be confirmed as a true and complete record.  
CARRIED

#### 6 REPORTS OF COMMITTEE

Nil.

#### 7 PRESENTATIONS

Nil.

#### 8 REPORTS

##### 8.1 Special Consultative Procedure - Development Contributions Policy, REP13-01-01

The purpose of the report was to allow the Committee to assess submissions on the Development Contributions Policy review and to assess the outcome of the Special Consultative Process.

The Chairman tabled two late submissions for Committee members to read. The submissions were from:-

1. Mr Simon Collett, Jennian Homes Nelson Bays Limited and
2. Mr Adam Hills, Milestone Homes Nelson Bays Limited.

##### **Submissions on the Special Consultative Procedure - Development Contributions Policy**

1. Mr Graham Thomas, Brightwater Developments  
Mr Thomas advised that Brightwater Developments supported the 'Once Paid Always Paid' (OPAP) system and the deletion of the 67% discount BUT was concerned that Council will, over a period of time, seek to disproportionately increase the Development Contributions to recover the lost income and therefore Brightwater Developments sought creation of a policy preventing that from happening.

The following matters were discussed in a Question and Answer session:-

- Three yearly Development Contributions reviews
- Developers' and Council's infrastructure costs
- Council's major infrastructure being debt funded
- Upgrading and renewals of Council's infrastructure not being covered in Development Contributions
- The correct percentage for growth is required in the Development Contributions formula.

2. Mr Glen Jarvie, GJ Gardner Homes

Mr Jarvie tabled and read GJ Gardner Homes concerns.

The following matters were discussed in a Question and Answer session:-

- The best methodology should be used
- The market driving the price of sections in Tasman.

3. Mr Grant McGillivray representing Mr Paul Newton, Newton Survey

Mr McGillivray agreed with OPAP but requested:-

- a. Development Contributions be paid after Resource Consent had been granted
- b. The Development Contributions rate be fixed at Resource Consent time and frozen until it is paid or at the next review of the Development Contributions policy
- c. Financial contributions payable under the RMA be credited against Development Contributions
- d. Moving Development Contributions from the developer to the builder.

The following matters were discussed in a Question and Answer session:-

- Timing of the Development Contributions
- Who should pay Development Contributions
- The need for Connection Fees to be listed alongside the Development Contributions and both should be set at the start.

4. Mr John Cotton representing Mr Robert Ford, Cotton & Light Limited

Mr Cotton advised that Development Contributions should be paid at building consent stage allowing titles to be generated. He added that OPAP needed to be at the building consent stage, not at 224.

The following matter was discussed in a Question and Answer session:-

- Development Contributions being lower on rural land making this kind of subdivision more attractive to developers.

5. Mr Ben Cooper, Ray White Real Estate Limited

Mr Cooper supported the OPAP system as it would create a fairer, more equitable environment for growth. He outlined the following three errors in the policy and its implementation that required further action:-

1. Timing of collection
2. The Funding model
3. The amount of Development Contributions and funding of projects.

Mr Cooper requested Council be cautious at deferring Development Contributions at the building consent stage. He added that some developers had recently been negotiable over section prices even with their Development Contributions not having been paid.

The following matters were discussed in a Question and Answer session:-

- Problems with the consultation process
- Prioritising infrastructure for efficiency.

6. Mr Trevor Riley

Mr Riley advised that he was against the revised Development Contributions policy as OPAP will not pay its way. He added that equity over the system was required and that 'we need to pay our way'.

In general discussion, the written Submission from Mr Mark Lile, Landmark Lile Limited was referred to and his proposed new wording of relevant clauses in the LTP were recommended for adoption.

A report with recommendations on the 'Once Paid Always Paid' Development Contributions policy was requested for an Extraordinary Environment & Planning Committee meeting to be held on Thursday 7 February 2013. Councillors noted staff should do more work on the relationship of development contributions and connection fees and how these might be better streamlined.

**Moved Cr Norriss/Cr Sangster**

**EP13-01-5**

**That the Environment and Planning Committee:-**

1. **Receives the Special Consultative Procedure - Development Contributions Policy report REP13-01-01;**
2. **Acknowledges receipt of the submissions on the Special Consultative Procedure - Development Contributions Policy, including the late submissions from S Collett and A Hills;**
3. **Agrees to adopt the 'Once Paid Always Paid' option as included in the Statement of Proposal with the modification of the provisions recognising prior payments for commercial developments as noted in the submission by M Lile;**
4. **Requests staff to report to the 7 February 2013 Extraordinary Environment and Planning Committee meeting with a revised Development Contributions Policy for approval.**

**CARRIED**

**8.2 Resource Consent Manager's Report, REP13-01-02**

The report presented a summary of the performance of the Resource Consent Section regarding compliance with statutory timeframes for the first six months of the 2012 – 2013 financial year. It also summarised current workloads and issues and the status of appeals to the Environment Court on decisions made by Hearing Panels.

The Resource Consent Manager was requested to include the following in future Summary of Resource Consent Processing tables:-

1. A six month history of buildings that are occurring around the District
2. The number of applications that come to Council but are subsequently withdrawn.

Cr King also requested the Sustainable Ventures Limited coastal residential development proposal at Pakawau be included on the Agenda (In confidence) for the Extraordinary Environment and Planning Committee meeting of 7 February 2013.

**Moved Cr Wilkins/Cr Inglis**

**EP13-01-6**

**That the Environment and Planning Committee receives the Resource Consent Manager's Report REP13-01-02.**

**CARRIED**

The meeting concluded at 12.03 pm.

Date Confirmed:

Chair:

UNCONFIRMED MINUTES